

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/522,019	01/21/2005	John Edgar Scragg	P08549US00/DEJ 2044		
881 STITES & HA	7590 09/25/2007 RBISON PLLC		EXAMINER		
1199 NORTH FAIRFAX STREET			CECIL,	CECIL, TERRY K	
SUITE 900 ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER	
			1723		
		•	MAIL DATE	DELIVERY MODE	
/			09/25/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		A			
Office Action Summany		Application No.	Applicant(s)		
		10/522,019	SCRAGG, JOHN EDGAR		
(Office Action Summary	Examiner	Art Unit		
		Mr. Terry K. Cecil	1723		
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply				
WHICHE - Extensions after SIX (6 - If NO perio - Failure to r Any reply r	TENED STATUTORY PERIOD FOR REPLY VER IS LONGER, FROM THE MAILING DASS of time may be available under the provisions of 37 CFR 1.13 of 5) MONTHS from the mailing date of this communication. It is specified above, the maximum statutory period we reply within the set or extended period for reply will, by statute, received by the Office later than three months after the mailing tent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	J. ely filed the mailing date of this communication. D (35 U.S.C. § 133).		
Status					
1)⊠ Res	sponsive to communication(s) filed on <u>21 Ja</u>	nuary 2005.			
2a)☐ This	This action is FINAL . 2b) This action is non-final.				
3) <u></u> Sin⊲	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
clos	sed in accordance with the practice under <i>E</i>	x parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.		
Disposition o	of Claims				
4a) 5)☐ Cla 6)☐ Cla 7)☐ Cla	im(s) 1-13 is/are pending in the application. Of the above claim(s) is/are withdraw im(s) is/are allowed. im(s) is/are rejected. im(s) is/are objected to. im(s) 1-13 are subject to restriction and/or expressions.				
Application I	Papers				
10)∭ The App Rep	specification is objected to by the Examiner drawing(s) filed on is/are: a) acception and acception and acception and acception and acception are declaration is objected to by the Examiner specifically acceptance of the contraction and acceptance are declaration is objected to by the Examiner specifically acceptance and acceptance are declaration is objected to by the Examiner specifically acceptance and acceptance are declaration as a specifical acceptance are declaration as a specifical acceptance and acceptance are declaration as a specifical acceptance are declarated as a specific	epted or b) objected to by the Edrawing(s) be held in abeyance. See on is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).		
Priority unde	er 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
	References Cited (PTO-892)	4) Interview Summary			
3) 🔲 Informatio	Draftsperson's Patent Drawing Review (PTO-948) n Disclosure Statement(s) (PTO/SB/08) s)/Mail Date	Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:			

Application/Control Number: 10/522,019 Page 2

Art Unit: 1723

DETAILED ACTION

Election/Restrictions

- 1. Restriction is required under 35 U.S.C. 121 and 372. This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.
- Group I, claims 1-4 and 14-15, drawn to a filter having the technical features of a means for mounting the cartridge (a core) and a means for rotating the cartridge (vanes).
- Group II, claims 5 and 7, drawn to a filter having the technical features of a filter cartridge with a core and a float within the core.
- Group III, claim 6, drawn to a cartridge having technical features of a core and a float therein and a means for rotating the cartridge.
- Group IV, claim 8, drawn to a filter cartridge having technical features of a core and filter material surrounding the core and a float within the core.
- Group V, claims 9-11, drawn to a filter cartridge having technical features of a core and curved vanes outwardly of the core and filter material packed into depressions in the vanes.
- Group V1, claim 12, drawn to a filter cartridge having technical features of a first float and drain outlet including a second float, the floats having remote respective seats.
- Group VII, claim 13, drawn to a filter cartridge having technical features of a hollow core open at both ends and including a float therein and a filter material across the open lower end of the core.
- 2. The inventions listed as Groups I-V11 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:
- Although each of Groups I-VII have the common technical features of a hollow core or a hollow core with a float therein, that technical feature is already known in the art of Conner

(U.S. 4,364,825) and is not a contribution over the art and therefore is not a *special* technical feature and unity is lacking among the groups.

- Although groups I, III, and VI include the common technical features of a means for rotating the cartridge (vanes), that feature is already known in the art of Mills et al. (U.S. 3,448,858).

 Therefore that feature does not define a contribution over the art and is therefor not a special technical feature such that unity is lacking among the groups.
- The other features are unique to the respective groups and are special technical features showing a lack of unity.
- 3. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In

Art Unit: 1723

either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Terry K. Cecil whose telephone number is (571) 272-1138. The examiner can normally be reached on 8:00a-4:30p M-F...

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Sample can be reached on (571) 272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000

> Mr. Terty K. Cecil **Primary Examiner** Art Unit 1723

TKC